

HH

Notice of Allowability

Application No.

10/694,485

Examiner

Frederick C. Nicolas

Applicant(s)

PETRUS ENGELS ET AL.

Art Unit

3754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 9/6/2007.
2. ☒ The allowed claim(s) is/are 1,2,4,5,7-10,14-22,24-29,33-36,38,40-42 and 45-59.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>9/18/2007</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the applicants' attorney Mr. Michael R. Hull on 9/18/2007.

The application has been amended as follows:

IN THE CLAIMS:

Claim 1, line 4, "the respective" has been deleted and --said each-- has been inserted; line 6, "the containers from their" has been deleted and --said each container from its-- has been inserted; line 7, "connectors" has been deleted and --connector-- has been inserted; line 7, "the same onto the" has been deleted and --said each container onto said respective-- has been inserted; line 8, "the respective pump and the" has been deleted and --said each pump and said each-- has been inserted; line 11, "the other" has been deleted and --an opposing-- has been inserted.

Claim 4, line 2, "a" has been deleted and --said-- has been inserted; line 2, "the respective pump and the" has been deleted and --said each pump and said each-- has been inserted.

Claim 8, line 3, after "each", --pump is-- has been inserted; line 4, "a container to the respective" has been deleted and --said container to said each-- has been inserted;

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line 5, "the" first occurrence, has been deleted and --a-- has been inserted; line 5, "the" second occurrence, has been deleted and --a-- has been inserted.

Claim 9, line 2, "the" has been deleted and --a-- has been inserted; line 3, "the" first occurrence, has been deleted and --a-- has been inserted; line 3, "the" second occurrence, has been deleted and --a-- has been inserted; line 3, "the" third occurrence, has been deleted and --a-- has been inserted; line 4, "measurements are" has been deleted and --measurement is-- has been inserted; line 5, "the" has been deleted and --a-- has been inserted.

Claim 10, line 2, "the amounts that have been dispensed by each of at least some of the pumps" has been deleted and --an amount that has been dispensed by at least one pump-- has been inserted.

Claim 14, line 9, "their respective" has been deleted and --the-- has been inserted; line 12, after "collect", --said-- has been inserted.

Claim 19, line 1, "claim 8" has been deleted and --claim 14-- has been inserted.

Claim 21, line 6, after "that", --said-- has been inserted.

Claim 22, line 5, "the respective" has been deleted and --said each-- has been inserted; lines 7-8, "wherein each combination of a pump, a connector, and a container or guide is formed as a module which, as a whole," has been deleted and --a plurality of modules, each module comprising one pump, one connector, one container, and one guide, said each module-- has been inserted; line 9, after "of", --said-- has been inserted; line 13, after "of" first occurrence, --said-- has been inserted; line 13, after "of" third occurrence, --said-- has been inserted.

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Claim 24, line 2, after "of", --said-- has been inserted.

Claim 25, line 2, "a" has been deleted and --said-- has been inserted; line 3, "module" has been deleted and --modules-- has been inserted.

Claim 26, line 3, "a respective" has been deleted and --said-- has been inserted; line 3, "module" has been deleted and --modules-- has been inserted.

Claim 28, line 4, after "each", --pump is-- has been inserted; line 5, "a container to the respective" has been deleted and --said container to said each-- has been inserted; lines 9-11, "than the other containers or is in fluid connection with a further container positioned towards or at the centre of the turntable" has been deleted and --and is positioned towards a center of the turntable-- has been inserted.

Claim 29, line 3, "portions" has been deleted and --portion-- has been inserted; lines 4-6, ", and wherein the rear portion of the at least one larger container extends beyond the rear portions of at least some of the other containers" has been deleted.

Claim 38, line 2, "the" first occurrence, has been deleted and --an-- has been inserted.

Claim 40, line 2, "the" first occurrence, has been deleted and --an-- has been inserted.

Claim 41, line 2, "the" first occurrence, has been deleted and --an-- has been inserted.

Claim 42, line 2, "the" first occurrence, has been deleted and --an-- has been inserted.

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Claim 48, line 4, "the" third occurrence, has been deleted and --a-- has been inserted.

Claim 49, line 2, "weights of the fluids" has been deleted and --weight of said each fluid-- has been inserted.

Claim 50, line 2, after "that" first occurrence, --said-- has been inserted; line 2, after "of", --said-- has been inserted.

Claim 51, line 2, "weights of the fluids" has been deleted and --weight of said fluid-- has been inserted.

Claim 52, line 2, "each" has been deleted and --said-- has been inserted; line 3, "each" has been deleted and --said-- has been inserted.

Claim 53, line 4, "the" third occurrence, has been deleted and --a-- has been inserted.

Claim 54, line 2, "weights of the fluids" has been deleted and --weight of said each fluid-- has been inserted.

Claim 55, line 2, after "that" first occurrence, --said-- has been inserted; line 2, after "of", --said-- has been inserted.

Claim 56, line 4, "the" third occurrence, has been deleted and --a-- has been inserted.

Claim 57, line 2, "weights of the fluids" has been deleted and --weight of said each fluid-- has been inserted.

Claim 58, line 2, after "that" first occurrence, --said-- has been inserted; line 2, after "of", --said-- has been inserted.

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Claim 59, line 4, "the" first occurrence, has been deleted and --a-- has been inserted; line 4, "the" second occurrence, has been deleted; line 7, "for" has been deleted and --said-- has been inserted; line 7, "each fluid from its respective" has been deleted and --said each fluid from said each-- has been inserted; line 8, "the amount of fluid dispensed by its respective" has been deleted and --an amount of said each fluid dispensed by said each-- has been inserted; line 9, after "of", --said each-- has been inserted.

Claims 6,11-13,30-32,37,39,43 have been cancelled.

IN THE SPECIFICATION:

On page 27 of the abstract, line 2, "comprising" has been deleted and --comprises-- has been inserted.

Allowable Subject Matter

2. Claims 1-2,4-5,7-10,14-22,24-29,33-36,38,40-42,45-59 are allowed.

Conclusion

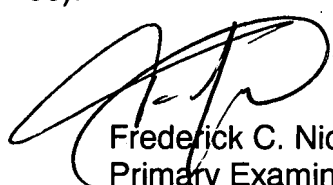
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frederick C. Nicolas whose telephone number is (571)-272-4931. The examiner can normally be reached on Monday - Friday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin P. Shaver, can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FN
September 18, 2007

 9/18/07
Frederick C. Nicolas
Primary Examiner
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